



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

October 13, 2021

VIA ECF

Hon. Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, NY 10007

MEMO ENDORSED

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 10/14/2021

Re: *Safe Passage Project v. U.S. Customs and Border Protection, et al.*, 1:21-cv-3288-VEC

Dear Judge Caproni:

This Office represents defendants (collectively, the “government”) in the above referenced Freedom of Information Act (“FOIA”) matter. I write respectfully, with plaintiff’s consent, to request that the Court adjourn the initial pretrial conference, currently scheduled for October 22, 2021 at 10:00 am, until December 3, 2021, or a date thereafter that is convenient for the Court. The government also respectfully requests that the deadline for the joint letter, currently due on October 14, 2021, be extended to one week prior to the rescheduled conference. The parties have previously made five requests to adjourn the conference, which were granted by the Court.

This adjournment is respectfully requested to permit the parties additional time to seek to resolve the FOIA claims raised in this action. Through negotiation, the parties have resolved all disputes in the action except for the issue of attorneys’ fees and costs. The government needs additional time to complete its internal settlement process, and once that is completed, for the parties to discuss the issue further. The government therefore respectfully requests that the conference be adjourned for one month to permit the parties to seek to resolve this remaining issue without further intervention by this Court.

I thank the Court for its consideration of these requests.

Respectfully,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

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cc: Counsel of Record (via ECF)

Application GRANTED. The initial pretrial conference is adjourned to **December 10, 2021 at 10:00 a.m.** The parties must appear for the conference by dialing 888-363-4749, using the access code 3121171 and the security code 3288. The parties' joint submission is due by **December 2, 2021.**

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Valerie Caproni".

10/14/2021

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE